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U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

Executive Secretariat
74-1199/2

DEC 30 1974

Honorable William Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

The Occupational Safety and Health Administration of the Department of Labor conducted an initial evaluation of the Central Intelligence Agency's Occupational Safety and Health Program during the period of May 22-24. The evaluation was performed in accordance with Executive Order 11612, issued July 26, 1971. However, to assist your Agency with developments since that time, Executive Order 11807, issued September 28, and 29 CFR 1960 Safety and Health Provisions for Federal Employees, have been utilized in the preparation of the report.

A conference was held with Mr. Jack Blake, Deputy Director for Administration, and his staff on October 17 during which the enclosed report was discussed by Mr. Gerard F. Scannell, Director, Office of Federal Agency Safety Programs. Mr. Scannell was assisted by a member of his staff who conducted the evaluation.

We believe the Central Intelligence Agency has an opportunity to assume a leadership position in the Federal Government's occupational safety and health programming effort. However, to achieve such a leadership position, we also believe the report's recommended actions should receive your personal consideration and support.

We would appreciate being advised of your plans to implement the recommended actions.

Sincerely,



Secretary of Labor

Enclosure

EVALUATION REPORT
ON
OCCUPATIONAL SAFETY AND HEALTH PROGRAMMING
ESTABLISHED AND OPERATED
BY THE
CENTRAL INTELLIGENCE AGENCY

EVALUATION REVIEW
CONDUCTED
BY
U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION[†]
OFFICE OF FEDERAL AGENCY SAFETY PROGRAMS

MAY 22-24, 1974

UNCLASSIFIED	CONFIDENTIAL	SECRET
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EXECUTIVE SECRETARIAT

Routing Slip

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Remarks:

Please prepare reply for DCI's signature.

A/ Executive Secretary

01/02/75

Date

CONTENTS

	PAGE
PURPOSE-----	1
SCOPE OF REVIEW-----	1
EVALUATION CRITERIA-----	2
SUMMARY STATEMENT-----	3
PROGRAM ELEMENT CONCLUSIONS-----	4
RECOMMENDED ACTIONS-----	9

APPENDIX I

- . Occupational Safety and Health Act
- . Executive Order 11807 issued September 28, 1974
- . Safety and Health Provisions for Federal Employees.
(Part 1960 - Federal Employees)

* Executive Order 11807 supersedes Executive Order 11612 which was in effect at the time this evaluation was conducted. However, this renewed emphasis by President Ford make the contents of the report even more meaningful.

PURPOSE

The purpose of this initial evaluation was to:

1. Determine the progress made by the Central Intelligence Agency to establish and operate an effective occupational safety and health program in accordance with the provisions of Section 19 of the Occupational Safety and Health Act and Executive Order 11612, superseded by Executive Order 11807, issued September 28, 1974.
2. Consult with Central Intelligence Agency officials regarding program element activities which appear to need improvement.

SCOPE OF REVIEW

The review was conducted partially at the Agency's headquarters in McLean, Virginia [REDACTED]

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The evaluation consisted of document review and discussions related to the administrative functions of the Agency's safety and health program which are conducted under the direction of the Deputy Director for Administration. Although a brief informal tour of the Agency's Medical Clinic was included, no detailed inspection of Agency facilities was intended or conducted.

EVALUATION CRITERIA

An eight element guide, developed and approved by the Federal Safety Advisory Council*, was used to provide a basis for the evaluation review.

The eight elements covered by the review guide include:

1. Administration
2. Training
3. Promotion
4. Research and Engineering
5. Investigation, Reporting and Analysis
6. Inspections
7. Standards
8. Committee Activities

*Executive Order 11807, September 28, 1974, changed the name to:
Federal Advisory Council on Occupational Safety and Health.

SUMMARY STATEMENT

The Central Intelligence Agency has established and is maintaining a program of occupational safety and health policies and activities which it hopes will meet the needs of the Agency and comply with the Occupational Safety and Health Act of 1970. However, these policies, procedures, and activities appear to have more or less evolved over a period of time rather than being the product of planning as mandated by the Occupational Safety and Health Act and Executive Order.

The "Agency's" concept of safety and health, at least in the past, appears to have been one of responding to accident problems rather than a planned elimination or control of hazards and hazardous exposures to prevent accidents, injuries, and/or illnesses.

This conceptual view of safety and health may very well be a spin off from organizational placement. Supervision by professionals whose qualifications and interests are in fields other than safety and health appears to create some difficulty with recognition of the potential for accidents, injuries, and/or occupational illnesses.

The overall net effect appears to have produced a safety and health program in which managers have been relieved of their inherent responsibility for safe and healthful work environments and work practices.

PROGRAM ELEMENT CONCLUSIONS

The conclusions reached with respect to the effectiveness of the present program, as it relates to the eight review guide elements, are as follows:

1. Administration--the safety and health maintenance functions, although both located within the Directorate of Administration, nevertheless, are limited in their effectiveness due to:
 - a. Lack of a clear cut management policy which places safety and "occupational" health policy documents in a priority category which requires action by all Directorates.
 - b. Lack of "occupational" health expertise, as expressed by the term Industrial Hygiene. This special field of expertise is oriented primarily toward the elimination, reduction, or control of environmental exposures rather than to a "health maintenance-patient care" type program.
(The present medical staff is of the highest quality and dedication, and the Agency's "health maintenance-patient care" program is considered to be outstanding. However, the background and experiences of the medical staff are oriented more toward the "health maintenance-patient care" approach rather than the prevention or control of hazardous exposures.)

- c. Organizational placement of the present safety and health functions are at different levels in two different offices and do not constitute a coordinated "occupational" safety and health function headed by a qualified professional with direct access to the Agency's top management.
 - d. Regulations, reports, memoranda, and other items related solely to "occupational" safety and health matters are often submerged under misleading identification headings; e.g., Security and Medical.
2. Training - The Agency engages in a number of training sessions based on selected goals which are in turn designed to remedy a problem in a localized area or operation. However, these training activities do not appear to be a coordinated program designed to meet the varying needs for:
- a. Occupational Safety and Health Orientation of:
 - 1. Management Officials
 - 2. Supervisory employees
 - (a) Hired from outside of the Agency and/or Government
 - (b) Promoted from within the Agency
 - 3. Employees
 - (a) New hire professional specialists
 - (b) New hire trainees

- b. Training for Control of "New" Safety and Health Exposures occasioned by:
 - (1) Recognition/Discovery of a new operational hazard or exposure
 - (2) A change in CIA policy, procedure, etc.
 - (3) Development of a new control technology
 - c. Professional Expertise Training for Safety and Health Staff Personnel. Note: While the Agency has an outstanding record for approving requests for such training, the need for continuation into the future makes it appropriate to include a brief outline of the essentials, as follows:
 - (1) Participation in professional society affairs; e. g., meetings, conferences, short courses, etc.
 - (2) Participation in Federal safety council affairs
 - (3) Encouragement to seek appropriate professional designation/recognition
3. Promotion - The promotional activities generally follow the themes endorsed by the Federal Safety Advisory Council and make use of materials purchased from suppliers such as the National Safety Council. Development of materials designed specifically for the Agency's employees, however, appears to be beyond the scope of the present safety and health staffs assigned resources.

4. Research and Engineering - Procedures for a safety and health staff review of all plans and specifications on new construction, replacement of equipment, and repair operations have been established. However, it appears that unless the safety and health staff makes frequent contacts to check on such activities, the procedure would not function effectively.
- 5a. Accident Investigation - Accident investigation reports, although limited to the more serious incidents, are detailed as to time, place, events, personnel involved, and causal factors, but the recommended actions do not appear to be consistently structured to assure prevention or control of incident recurrence.
- b. Accident Reporting and Analysis - Reporting procedures, although subject to normal procedural problems, appear to provide ample data for analytical purposes. The utilization of statistical analysis techniques, however, which could possibly provide for improved communications, have not been explored in detail due to lack of resources.
6. Inspections - To adequately accomplish the inspection function, within the Agency's operations, a re-appraisal of the exposures involved will be necessary for all levels of management and supervision. Training designed to insure full implementation of the inspection function will also be necessary.
7. Standards - The activity in this area has been commendable to date, however, current procedures for dissemination within the

Agency will require modification. (The Occupational Safety and Health Act requires that employees have ready access to the standards.)

8. Committees - The Agency's management level safety committee, although established by position titles in the current regulations, has apparently not functioned as an active committee for some time. There are other committees in the Agency at various outlying locations, however, little is known about their effectiveness since reports of activities are not forwarded to the safety staff.

RECOMMENDED ACTIONS

The following recommended actions, while based essentially on the Program Element Conclusions listed in the report, are more primarily concerned with the concept that occupational safety and health is essential to the success of day to day activities. We hope they will be accepted by the Central Intelligence Agency more as constructive suggestions for improved operations than as criticism which has been imposed by the provisions of the OSH Act.

1. Revise and re-issue the Agency's "Occupational Safety and Health Regulations" under a title and series number which will clearly delineate the major role occupational safety and health considerations have in the success of day-to-day activities.
2. Emphasize throughout the revised regulations a policy commitment that line managers, supervisors, and other persons, who make work assignments direct to individuals, are responsible for the safety and health conditions, practices, and procedures utilized within their managerial span of control. (Making acceptance of responsibility for occupational safety and health a factor in job performance reviews for both supervisors and employees will help improve the Agency's day-to-day activities. (Ref. 29 CFR 1960.19)
3. Combine and reorganize the safety and health functions as a single unit reporting directly and exclusively to the Deputy Director for Administration and assign or hire qualified personnel who can provide the following:

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- a. Professional "Safety" expertise to assist in program development and administration.
- b. Professional "Industrial Hygiene" expertise to assist in exposure recognition and development of recommended program actions.
- c. Professional health services as presently provided.

Note: This recommended action is an attempt to present, objectively, an organizational approach which we believe can achieve the results required. We recognize that the Agency may prefer to utilize an alternate approach but in so doing should strive to provide leadership by professional personnel with appropriate expertise. (Ref. 29 CFR 1960.16.)

4. Prohibit, by regulation, the delegation of line management responsibility for safety and health functions and activities to safety and health "staff" or "collateral duty" personnel. In effect, assure protection of the concept "safety is a function of command."
5. Develop a coordinated set of training activities designed to deliver:
 - a. Management personnel trained to accept safety and health responsibilities which are inherent in the operations under their span of control.
 - b. Operational policies, procedures, facilities, equipment, supplies, and materials, which reflect the safety and health of employees and the public is a prime consideration in the day-to-day operational decisions necessary to accomplish the "mission."

- c. Employees who have been trained to question the safety and health exposures to themselves and/or the public before beginning any operation not specifically designated as an excepted "assumed risk assignment."
6. Develop, publish, and distribute safety and health literature which:
- a. Promotes the Agency's image of having a real concern for people.
 - b. Deals with hazards and/or hazardous exposures in terms of the Agency's operations rather than some problem to which the employee has difficulty relating to his job function.
7. Re-inforce, through management directives, the regulations which require prior consultation with the safety and health staff, on purchases of supplies, equipment, materials, and construction or leasing of facilities to insure compliance with appropriate safety and health standards. (Agency adopted specifications, based on appropriate safety and health standards, can be enforced on virtually all suppliers provided the specifications are written into the contracts, agreements, and purchase orders and acceptance tests are required prior to an authorization for payment.)

8. Review the accident investigation reporting and analyses procedures in order to insure the accomplishment of the following objectives:
 - a. Determination of the "preventable or controllable" non-human element which caused the malfunction or incident.
 - b. Action at all appropriate management levels to achieve elimination or control of the identified hazardous element and thereby prevent or reduce the chance for a recurrence.
 - c. Identification of all human malfunctions, which result in accident, injuries, illnesses, or exposure of the Agency to tort liability in terms of needs for training and take action to provide appropriate training without ridicule of employee involved.
 - d. Exploration of statistical analysis techniques in order to provide for dissemination of more meaningful data regarding accidents, injuries, and illnesses.
9. Review the term "inspection" as used in the Agency's regulations in order to ensure compliance with the provisions of 29 CFR 1960.
10. Establish, by regulations, procedures, appropriate for the Agency, whereby employees may provide:
 - a. Input on matters involving safety and occupational health.
 - b. Feedback as to the effectiveness of action(s) taken to comply with the Agency's adopted standards.